

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6953**

**BILL NUMBER:** HB 1508

**NOTE PREPARED:** Jan 7, 2005

**BILL AMENDED:**

**SUBJECT:** Hands-Free Mobile Telephone Use.

**FIRST AUTHOR:** Rep. Summers

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** The bill makes it a Class D infraction to operate a motor vehicle while using a hand-held mobile telephone. It exempts: (1) a person who uses a mobile telephone in an emergency situation; (2) an authorized emergency vehicle; (3) a medical services vehicle; and (4) a volunteer firefighter or certain emergency services professionals en route to the scene of an emergency.

**Effective Date:** July 1, 2005.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** If additional court cases occur, revenue to the state General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class D infraction is \$25 which is deposited in the state General Fund. If a criminal action, infraction, or ordinance violation involves a traffic violation, including this proposed offense, a Highway Work Zone Fee of either \$0.50 or \$25.50 is assessed. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement

agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Karen Firestone, 317-234-2106.